



Attorney Docket
No. 6388.005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:
RICHARD P. METTKE

Serial No.: 09/134,831

Filed: August 17, 1998

For: ON-LINE COMMUNICATION
TERMINAL/APPARATUS

Group Art Unit: 2743

Examiner: Stella Woo

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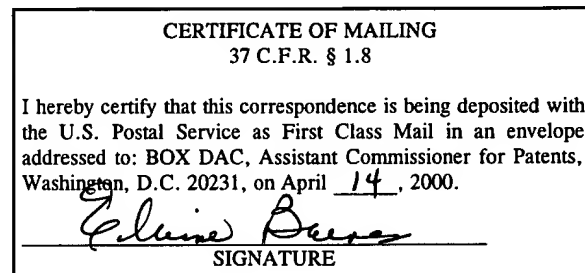
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PETITION TO REVIVE

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

BOX DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:



The following Petition to Revive is in response to the Notice of Abandonment mailed April 4, 2000. This Petition to Revive is necessary due to an error by the U.S. Patent and Trademark Office, and as such, no fees are due. However, in the event that fees are due, the Commissioner is authorized to charge any fees which may be required (or credit any overpayment) to Tobor, Goldstein & Healey Account No. 20-1299, Order No. 6388.005/EWG.

The Examiner mailed the Notice of Abandonment on the ground that Applicant allegedly did not timely file a proper response to the Office letter mailed August 25, 1999. Specifically, the Examiner states that no response was received.

Attached hereto as Exhibit A, is a copy of the Amendment filed by Applicant on November

22, 1999 in response to the Office Action mailed August 25, 1999. The deadline for response to the August 25, 1999 Office Action was November 25, 1999. As shown by the Certificate of Mailing under 37 C.F.R. § 1.8 located on the first page on the Amendment, the Amendment was mailed on November 22, 1999. Accordingly, the Amendment was timely filed.

Additionally, Applicant included a return postcard with the Amendment for the U.S. Patent and Trademark Office to stamp and return to Applicant. Exhibit B attached hereto shows a copy of the return postcard with the postcard stamped by the U.S. Patent and Trademark Office indicating Applicant's Amendment was received by the U.S. Patent and Trademark Office on November 29, 1999. Accordingly, the U.S. Patent Trademark Office received the Amendment.

In view of the above remarks, Applicant respectfully requests the Commissioner to revive the application and have the claims of the application reconsidered in view of the attached Amendment which was timely filed in response to the August 25, 1999 Office Action.

Date: 4/14/00

Respectfully submitted,



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Reg. No. 22,945

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